



Universal Service Administrative Company  
Schools & Libraries Division

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**Administrator's Decision on Appeal – Funding Year 2014-2015**

October 15, 2014

Mitchell S. Miller  
College Preparatory Middle School  
5150 Jackson Drive  
La Mesa, CA 91942

Re: Applicant Name: COLLEGE PREPARATORY MIDDLE SCHOOL  
Billed Entity Number: 16065749  
Form 471 Application Number: 938277  
Funding Request Number(s): 2602635, 2602640  
Your Correspondence Dated: September 17, 2014

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2014 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision. If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 2602635, 2602640  
Decision on Appeal: **Denied**  
Explanation:

- According to our records, the above funding request was correctly denied during the PIA review process based upon the documentation that was received from the applicant upon request. It was determined that you have failed to execute a contract in a timely manner. The Contract Award Date (CAD) of 2/24/2014 is more than eighteen (18) months after the Allowable Contract Date (ACD) of 2/23/2012 that was set by the applicant cited FCC Form 470 (Application Number: 818970001007975) that established the 28-day competitive bidding period. The rules of this support mechanism require that applicants enter into a contract with a service provider in a timely manner. Since this requirement was not met you have failed to comply with the FCC's competitive bidding requirements. You have not provided any documentation on appeal that shows that an error was made on the part of USAC. Consequently, the appeal is denied.

- Your explanation of the time lapse between the allowable contract date of the referenced FCC Form 470 and the contract award date failed to assure USAC that you conducted a fair and competitive bidding process and chose the most cost-effective offering with price being the primary factor. FCC rules require that except under limited circumstances, all FCC Forms 470 received be posted on the USAC website for 28 days, and that applicants carefully consider all bids received before selecting a vendor, entering into an agreement or signing a contract, and signing and submitting an FCC Form 471. *See* 47 C.F.R. secs. 54.503(b)-(c), 54.511(a) and (c). These competitive bidding requirements help ensure that applicants receive the lowest pre-discount price from vendors. *See* Federal-State Joint Board on Universal Service, CC Docket No. 96-45, Order on Reconsideration, 12 FCC Rcd 10095, 10098, FCC 97-246 para. 9 (rel. Jul. 10, 1997). This posting requirement applies to requests for discounts for month-to-month or tariff services as well as contracted services. *See* 47 C.F.R. sec. 54.503 (c). Pursuant to the Commission's rules, voluntary contract extensions are not exempt from the competitive bidding requirement. *See* 47 C.F.R. sec. 54.511 (d)(1).

Since your appeal was denied in full, dismissed or cancelled, you may file an appeal with the FCC. Your appeal must be postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found under the Reference Area/"Appeals" of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

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Billed Entity Number: 16065749  
Form 471 Application Number: 938277  
Form 486 Application Number: